

EXECUTIVE ORDER NO. 110

WHEREAS, beginning on October 28, 2012, and continuing through October 30, 2012, Hurricane Sandy struck the State of New Jersey; and

WHEREAS, Sandy destroyed entire communities across New Jersey, and left much of the State inaccessible; and

WHEREAS, the damage caused from Sandy, including fallen trees, downed power lines, damage to roadways, and unprecedented disruptions in electrical service, has produced dangerous conditions throughout the State that continue to jeopardize the public safety; and

WHEREAS, the effects of Sandy, especially the widespread power outages, have disrupted the orderly sale of motor fuel, making it difficult for the citizens of the State to access adequate motor fuel; and

WHEREAS, the orderly and measured sale of motor fuel is necessary to ensure that all citizens of New Jersey have a steady and reliable source of power for both transportation and maintenance of essential services at home; and

WHEREAS, on November 2, 2012, pursuant to N.J.S.A. 52:27F-17 and due to the existence of an energy supply shortage of a dimension which endangers the public health, safety, or welfare,

I declared a limited state of energy emergency in twelve counties with regard to motor fuel; and

WHEREAS, on October 27, 2012, in light of the dangers posed by Sandy, and pursuant to the authority provided under the Constitution and Statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4, and all amendments and supplements thereto, I declared a State of Emergency; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of the State government to protect against the emergency created by Sandy; and

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Any wholesaler or retail dealer of motor fuels may procure and sell motor fuel from any source for sale to the public, so long as the motor fuel meets all otherwise applicable standards and the seller, at wholesale and retail, informs the purchaser, through written bills of lading at wholesale and dispenser labels at retail, that the fuel is not of the brand usually represented by the seller.

2. No such seller referenced in paragraph (1) of this Order shall be a party to the substitution of one grade of motor fuel for another.

3. The Director of the Division of Taxation, in the Department of Treasury, is directed to take all appropriate steps to effectuate and enforce this Order.

4. This Order shall take effect immediately and shall expire in ten (10) days.

GIVEN, under my hand and seal this
day of November,
Two Thousand and Twelve,
and of the Independence of
the United States, the Two
Hundred and Thirty-Seventh.

/s/

Chris Christie
Governor

Attest:

Charles B. McKenna
Chief Counsel to the Governor